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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/194,367	11/24/1998	DENNIS J. DUPRAY	1003-PUS	3112

7590 DENNIS J. DUPRAY 1801 BELVEDERE STREET GOLDEN,, CO 80401		08/16/2007	
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EXAMINER	
PHAN, DAO LINDA	

ART UNIT	PAPER NUMBER
3662	

MAIL DATE	DELIVERY MODE
08/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/194,367	11/24/1998	Dennis Dupray	1003-PUS
			EXAMINER
			Dao L. Phan
			Art Unit 3662

DATE MAILED:

This is a communication from the examiner in charge of your application  
COMMISSIONER OF PATENTS AND TRADEMARKS

The information disclosure statements filed August 1, 2007 was filed after the Notice of Allowance and Issue Fee Due was paid. The statement consequently fails to comply with the requirements of 37 CFR 1.97.

The information disclosure statement has been placed of record in the file but will not be considered by the examiner.

Should applicant wish to have the information disclosure statement considered, applicant's attention is directed to withdraw the procedure of 37CFR 1.313(b) (5).

Thomas H. Tarcza  
SPE Art Unit 3662  
571-272-6979



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09/194,367	11/24/1998	Dennis Dupray	1003-PUS
			EXAMINER
			Dao L. Phan
			Art Unit 3662

DATE MAILED:

This is a communication from the examiner in charge of your application  
COMMISSIONER OF PATENTS AND TRADEMARKS

The petition filed February 18, 2007 under 37 CFR §1.97(d)(2)(ii) for consideration of an information disclosure statement filed after allowance has been:

☒ GRANTED.

☐ DENIED.

The petition lacks:

☐ The required fee under 37 CFR §§1.97(d)(2)(iii) and 1.17(i)(1).

☐ A proper certification as specified in 37 CFR §§1.97(d)(2)(i) and 1.97(e)

The information disclosure statement has been placed of record in the file but will not be considered by the examiner.

Thomas H. Tarcza  
SPE Art Unit 3662  
571-272-6979

**Supplemental  
Notice of Allowability**

Application No.

09/194,367

Examiner

Dao L. Phan

Applicant(s)

DUPRAY ET AL.

Art Unit

3662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/18/07 & 8/1/07.
2. ☒ The allowed claim(s) is/are see the attached sheet.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**


7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.
  - (b) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.
  - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| <input type="checkbox"/> Notice of References Cited (PTO-892)  | <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                              | <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | <input type="checkbox"/> Examiner's Amendment/Comment                    |
| <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material           | <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | <input checked="" type="checkbox"/> Other (see the attached sheet).      |

  
DAO PHAN  
PRIMARY EXAMINER

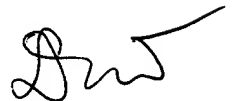
Art Unit: 3662

1. Claims 85-91, 94-99, 106-107, 110, 113-116, 118-135, 137-138, 140-143, 159-161, 163-170, 172, 179-180, 182-188, 190-195, 199-200, 202, 247-249, 251-253, 258, 263-287, 290-300, 312-361, 363-370, 373-375, 377-382, 384-387, 397-442 (renumbered 1-234).

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dao L. Phan whose telephone number is (571)272-6976. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Tarcza can be reached on (571)272-6979. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAO PHAN  
PRIMARY EXAMINER